

**CITY OF HORSESHOE BAY**  
**PLANNING AND ZONING COMMISSION**  
**NOTICE OF REGULAR PUBLIC MEETING**

March 6, 2018

Notice is hereby given to all interested members of the public that the Horseshoe Bay Planning and Zoning Commission will hold its Regular Public Meeting on Tuesday, March 6, 2018 in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas. The Regular Public Meeting will begin at 3:00 p.m. The agenda for the Regular Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes)
3. Approval of Minutes of the February 6, 2018 Regular Meeting and the February 14, 2018 Special Meeting
4. Phoenix Center requests to withdraw their application for the Phoenix Center Planned Development and Concept Plan, including rezoning of 77.0 acres from A-1 Recreational to MU-R4C2-PD Mixed Use R-4 Multi-Family Residential and Commercial Planned Development, which was continued by the Commission from February 6, 2018
5. Discussion and possible action on a recommendation to City Council regarding Amendments to Sec. 14.02.406(j)(4) in Zones 3 and 4A Horseshoe Bay West and Horseshoe Bay Proper; Sec. 14.02.407(d) in Zone 5 Bay Country; Sec. 14.02.408(e) in Zone 6 Pecan Creek; Sec. 14.02.411(e) in Zone 9 Escondido; Sec. 14.02.412(e) in Zone 10 Siena Creek; Sec. 14.02.414(d)(10) and Sec. 14.02.414(d)(11) in Zone 12 Summit Rock; and Sec. 14.02.421(d)(1) in Zone 18 The Parks at Horseshoe Bay to allow new Conditional Uses with approval by City Council of a Conditional Use Permit and to delete auto service stations in all C-2 Commercial classifications where they are currently permitted uses/City is Applicant
6. Workshop:  
Continued discussion and possible action on Development Services Staff Draft Future Land Use Map (FLUM)
7. Discussion and action regarding proposal for one-on-one Director Meetings with Commission Members from the February 6, 2018 meeting agenda
8. Adjournment

  
Eric W. Winter, Development Services Dir.

The Planning and Zoning Commission may go into closed session, if necessary and appropriate, pursuant to the applicable section of the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapter D, on any matter that may come before the Commission that is listed on the Agenda and for which a closed session is authorized. No final action, decision, or vote will be taken by the Commission on any subject or matter while in closed session. Any action, decision or vote will be taken by the Commission only in open meeting.



# PLANNING & ZONING COMMISSION

MARCH 6, 2018

**To:** Planning & Zoning Commission  
**Thru:** Stan Farmer, City Manager  
**From:** Eric Winter, Development Services Director  
**RE:** March 6 Meeting Agenda Memo

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**Comments regarding Agenda items:**

1. As you may recall from the February 14 Special Meeting, The Phoenix Center is changing their request from MU-R4C2-PD to C-3 Commercial in Summit Rock with a Conditional Use Permit for the proposed recreational uses in Phase 1. The withdrawal of their previous request is on this agenda and the Commission only needs to acknowledge their request to withdraw the application. Their new request will require new public notices because the C-3 Commercial zoning is higher intensity than the MU-R4C2-PD zoning.
2. The CUP Ordinance Amendment is one that the previous Commission had discussed and was ready to recommend to City Council, but with the change in the majority of the P&Z members this year, it was felt that you needed to review and discuss the proposed uses to be allowed by approval of a CUP by City Council, and including the elimination of auto service stations as a permitted use in the C-2 Commercial classifications in Zones 3 & 4A Horseshoe Bay West and Proper, Zone 5 Bay Country, Zone 6 Pecan Creek, and Zone 9 Escondido.
3. Workshop  
This Workshop will be a continuation of the Workshop on the FLUM at the February 14 Special Meeting. Among the changes that have been made to the FLUM are several existing uses that are assumed to continue in the future have been added, a new Rural Residential Land Use category has been added, and Number 1 on the FLUM Overlays - the public lake access boutique commercial land use has been relocated from The Cape area to Mrs. Hurd's property with access to FM 2147.
4. Regular one-on-one meetings with Commission Members. This item was inadvertently overlooked at the February 6 meeting and is for discussion to get your feedback regarding the necessity for, scheduling of and other aspects of regular one on one meetings scheduled to provide information on Development Services Department activities, answer any of your questions and obtain feedback on how we are doing and how we can improve our operations regarding P&Z meetings.

I will be happy to answer any questions you have.



**CITY OF HORSESHOE BAY**  
**PLANNING AND ZONING COMMISSION**  
**MINUTES OF REGULAR MEETING**

February 6, 2018

The Planning and Zoning Commission of the City of Horseshoe Bay held a Regular Meeting at City Hall, in the City Council Chambers located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on February 6, 2018, in accordance with the duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

**1. Call the Meeting to Order and Establish a Quorum:**

Chairman Neil Andrew called the meeting to order at 3:00 p.m. with a quorum of Commission Members as follows:

Chairman Neil Andrew  
Commission Member Pat Bouchard  
Commission Member Mark Hazelwood  
Commission Member Brent Lane  
Commission Member Edwin 'Scooter' Lofton

**2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes):**

Mayor Steve Jordan and Mayor Pro Tem Craig Haydon were in attendance but did not ask to speak

**3. Approval of Minutes of the January 9, 2018 Regular Meeting:**

Brent Lane made a motion to approve the minutes, seconded by Scooter Lofton. The motion passed unanimously (5-0).

**4. Public hearing on request for a recommendation to City Council regarding the Phoenix Center Planned Development and Concept Plan, including rezoning of 77.0 acres from A-1 Recreational to MU-R4C2-PD Mixed Use R-4 Multi-Family Residential and Commercial Planned Development, property driveway is at 3340 Hwy. 71 West, with the majority of the property 2,000 feet+ north and west/The Phoenix Center, Applicant:**

Chairman Neil Andrew opened the public hearing at 3:03 PM and continued it to the March 6 P&Z meeting at 3:00 PM.

**5. Workshop**

Director Eric Winter had previously mentioned that some of the materials in this meeting's packet may be duplicate information of previously provided information, but was provided to Commission Members as

reinforcement. He asked for comments from Commission Members regarding their familiarization with the Zoning Ordinance text, maps and land use site inspections. Scooter Lofton stated that he was surprised at the size of the City when he went on his tour with Code Enforcement Officer Dan Ross. He also said he had seen significant improvement in the appearance of Horseshoe Bay South. He also added that he had seen some multi-family unit interiors that did not seem to be up to Horseshoe Bay standards, like the new duplexes on Up There. Mark Hazelwood said he was asking questions and finding answers but wasn't totally knowledgeable yet. Brent Lane said he saw less development in Applehead than he expected. He noticed that there were a number of multi-family units and how they were mixed in with single family units. He also felt there would be a need to determine the number of multi-family units and find ways to improve and redevelop them.

There was consensus that staff should develop a comprehensive survey of the conditions of multi-family units and determine the number that are obsolescent and are able to be redeveloped. Mayor Steve Jordan suggested that the City should look at bringing the Building Codes up to the 2015 Codes.

**6. Adjournment**

Chairman Neil Andrew adjourned the meeting at 4:12 p.m.

APPROVED this 6<sup>th</sup> day of March, 2018.

**CITY OF HORSESHOE BAY, TEXAS**

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**Neil Andrew, Chairman**

**ATTEST:**

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**Eric W. Winter, Development Services Director**



**CITY OF HORSESHOE BAY**  
**PLANNING AND ZONING COMMISSION**  
**MINUTES OF SPECIAL MEETING**

February 14, 2018

The Planning and Zoning Commission of the City of Horseshoe Bay held a Special Meeting at City Hall, in the City Council Chambers located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, on February 14, 2018, in accordance with the duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

**1. Call the Meeting to Order and Establish a Quorum:**

Chairman Neal Andrew called the meeting to order at 2:03 p.m. with a quorum of Commission Members as follows:

Present

Chairman Neil Andrew  
Commission Member Mark Hazelwood  
Commission Member Brent Lane  
Commission Member Edwin 'Scooter' Lofton

Absent

Vice-Chairman Pat Bouchard

**2. Public Comments (Those who wish to speak are asked to limit their comments to three minutes):**

Mayor Pro Tem Craig Haydon, Council Member Reagan Lambert, and City Manager Stan Farmer, City Attorney Rex Baker, Ron Mitchell, Sarah Garrett and Heather Franklin were in attendance, and they all spoke on behalf of the Phoenix Center.

**3. Staff presentation and discussion on Development Services Staff Draft Future Land Use Map (FLUM)**

Development Services Technician Jessica Noaker gave a presentation on the Future Land Use Map (FLUM), which is a map that will serve as the basis for future land use decisions. She reported the history of the project, which was a collaborative effort by Development Services staff, and was facilitated by former Assistant Planner Nathalie Kip. The zones do not represent hard and fast rules like a Zoning Map, but rather a vision of the types of uses that are appropriate in each area.

Ron Mitchell offered some input from the perspective of the Resort. He suggested the City consider traffic concerns when creating a vision for the Cape area, and that the Hurd House property could eventually serve as a lake access point. He also mentioned the potential for a private school in the future, and how such an institution could make the City a competitive destination for professionals with families.

Mark Hazelwood noted the contemporary bias for higher densities and a variety of uses near residences. Eric

Winter acknowledged this fact, but felt that the preservation of the City's heritage, being traditionally resort and retirement living, is an important ideal, just as planning for the future is.

Neil Andrew also stressed the importance of community input in the continued evolution of the FLUM. Eric Winter mentioned that charrettes would be a useful tool to get citizens involved.

**4. Workshop on the Phoenix Center Planned Development and Concept Plan, at 3340 Hwy. 71 West**

Rex Baker explained the legal process by which the Phoenix Center's acquired property can have recreational uses in the present, while being able to sell the land in the future as a commercial property. The property was purchased and subsequently petitioned for annexation. As with all annexed vacant property, it would initially be zoned A-1 Recreational. He went on to explain that it is unlawful to bind future councils. In other words, it would be impossible to Zone a property with a 'fuse' so that it changes at a later date, and all uses permitted within said zone must be explicitly defined. Any departure from this would require a rezoning.

Ron Mitchell clarified that it was the desire of the Phoenix Center to have the property rezoned to C-3 Commercial in the present, with the uses the Center engages in being permitted under that zoning designation. Rex Baker explained that such an action would be considered a conditional use, and that there may be a workable path allowing this within the Zoning Ordinance.

Sarah Garrett, Founder of the Phoenix Center, spoke about the history of the Center, the work it does, and their plans for the location in Horseshoe Bay. She explained the Center provides mental-health care to young victims of trauma, and how such services are especially important in this area, which has a child abuse rate of more than twice the State of Texas overall. Four of five of the children the organization serves are low income. The operation will always be small scale, and the Center will never house large numbers simultaneously like a traditional children's camp would.

The plan is for the property in Horseshoe Bay to be a "campus" that addresses the special needs of these children, as well as a place for educating and training other mental health professionals. Initially, a ropes course will be constructed. Shortly thereafter, an equine therapy location, cabins, and eventually an administration building will be built. The concept is in the preliminary stages, and therefore changeable.

Eric Winter inquired about the plans for the cabins, noting that Austin Technical Services (ATS) who reviews building plans for the City has stated they would not approve building plans without heating, electrical, and plumbing. Sarah assured that plans for the cabins are not complete at this time, and such facilities could be included if needed.

Neil Andrew questioned the proximity to the Airport, and if the noise generated there could disturb the camp's children. Sarah was comfortable given the distance from the Airport.

Brent Lane commented that the organization should consider positioning the Administration office near the road to better monitor access to and departures from the grounds. He also mentioned the importance of adequate lighting, given the special needs of the children. Sarah assured the Board all suggested recommendations can and will be reflected in the Master Plan.

**5. Adjournment**

Chairman Neil Andrew adjourned the meeting at 3:51 p.m.

APPROVED this 6<sup>th</sup> day of March, 2018.

**CITY OF HORSESHOE BAY, TEXAS**

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**Neil Andrew, Chairman**

**ATTEST:**

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**Eric W. Winter, Development Services Director**





## CITY OF HORSESHOE BAY PLANNING & ZONING COMMISSION

MARCH 6, 2018

**To:** Planning & Zoning Commission  
**Thru:** Stan R. Farmer, City Manager  
**From:** Eric W. Winter, Development Services Director  
**RE:** Discussion and possible action on a recommendation to City Council regarding Amendments to Sec. 14.02.406(j)(4) in Zones 3 and 4A Horseshoe Bay West and Horseshoe Bay Proper, Sec. 14.02.407(d) in Zone 5 Bay Country, Sec. 14.02.408(e) in Zone 6 Pecan Creek, Sec. 14.02.411(e) in Zone 9 Escondido, Sec. 14.02.412(e) in Zone 10 Siena Creek, Sec. 14.02.414(d)(10) and Sec. 14.02.414(d)(11) in Zone 12 Summit Rock and Sec. 14.02.421(d)(1) in Zone 18 The Parks at Horseshoe Bay to allow new Conditional Uses with approval by City Council of a Conditional Use Permit; and to delete auto service stations in all C-2 Commercial classifications where they are currently permitted uses/City is Applicant

The Zoning Ordinance language regarding CUPs includes the following:

A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zone only under certain conditions. Such conditions include a determination that the external effects of the conditional use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of standards and conditions.

At the November 14, 2017 Commission meeting the former Commission Members discussed the staff's proposed Conditional Use Permit Ordinance Amendment and made the following changes, incorporated in this draft:

Commission members agreed to remove the language in Sec. 14.02.414(d)(10) and Sec. 14.02.414(d)(11) of Summit Rock regarding a bar being allowed along Hwy. 71 only. For auto service stations, the Commission agreed by consensus that they should have a maximum of 8 pumps. All other uses were agreed to by consensus.

The next step is for the present Commission to review each of the conditional uses in the attached draft and determine which of those uses, and any others you would like to add, should be included in the Ordinance Amendment that will be recommended to City Council for action at their March 20 meeting. Because this draft was not sent to City Council due to the change in P&Z majority membership, you may also consider eliminating any of these uses that you feel should not be allowed with approval of a CUP. Note that a conditional use to allow recreational uses in the C-3 Commercial classification in Summit Rock has also been added.

In order for an auto service station to be considered as a conditional use, it must be deleted from each C-2 classification where it is currently a permitted use, which this Amendment does.

Enclosures: CUP Ordinance Amendment



**CITY OF HORSESHOE BAY**

**ORDINANCE NO. ORD 2018-**

**TEXT AMENDMENTS TO THE ZONING ORDINANCE DEALING  
WITH INCONSISTENCIES AND OTHER ISSUES IDENTIFIED BY THE  
PLANNING AND ZONING COMMISSION**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS AMENDING CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.406(j)(4) IN ZONE 3 HORSESHOE BAY WEST AND ZONE 4A HORSESHOE BAY PROPER; SECTION 14.02.407(d) IN ZONE 5 BAY COUNTRY; SECTION 14.02.408(e) IN ZONE 6 PECAN CREEK; SECTION 14.02.411(e) IN ZONE 9 ESCONDIDO; SECTION 14.02.412(e) IN ZONE 10 SIENA CREEK; SECTIONS 14.02.414(d)(10) AND 14.02.414(d)(11) IN ZONE 12 SUMMIT ROCK; AND SECTION 14.02.421(d)(1) IN ZONE 18 THE PARKS AT HORSESHOE BAY BY ADDING A LIST OF USES FOR WHICH CONDITIONAL USE PERMITS CAN BE APPROVED; DELETING AUTO SERVICE STATIONS AS A PERMITTED USE IN SEC. 14.02.406(j)(1)(C) IN ZONES 3 AND 4A, SEC. 14.02.407(d)(1)(C) IN ZONE 5, SEC. 14.02.408(e)(1)(C) IN ZONE 6 AND SEC. 14.02.411(e)(1)(C) IN ZONE 9; AND PROVIDING FOR SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING**

**WHEREAS**, the City Council of the City of Horseshoe Bay ("City Council") seeks to continue to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

**WHEREAS**, allowing specific uses as conditional uses with approval of a Conditional Use Permit is a way to permit uses that otherwise might not be compatible with other permitted uses, but which are made compatible through the requirements of specific conditions to mitigate their negative impacts, and

**WHEREAS**, Chapter 14 Zoning of the City Code of Ordinances currently allows only one Conditional Use, for a bar in Zone 3 Horseshoe Bay West and Zone 4A Horseshoe Bay Proper; and

**WHEREAS**, the City Council is of the opinion that allowing specific uses in the C-2 General Commercial Classification in all Zones that have it provides a mechanism for additional uses to be permitted which are complimentary to existing uses because of the conditions imposed by approval of a Conditional Use Permit; and

**WHEREAS**, the City Council, in the exercise of its legislative discretion has concluded that Chapter 14 Zoning of the City Code of Horseshoe Bay should be amended as herein described.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:**

**I. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**II. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION  
14.02.406(j)(4)**

Section 14.02.406(j)(4) is hereby amended to read as follows:

(4) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article (4A only)
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office
- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer's Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library



- (S) Museum (4A and 4B only)
- (T) Amphitheater (4B only)
- (U) Temporary Real Estate Sales Office for New Development

**III. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION  
14.02.407(d) ADDING NEW SUBSECTION (5)**

Section 14.02.407(d) is hereby amended to add new Subsection (5) to read as follows:

(5) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) Multi-family residential
- (B) Personal storage building
- (C) Auto service station with a maximum of 8 pumps
- (D) Wireless communications tower
- (E) Contractor's office – no outside storage
- (F) Contractor's temporary on-site office
- (G) Self-service storage units
- (H) Research lab – non-hazardous
- (I) Community Garden less than 1 acre
- (J) Farmer's Market less than 1 acre
- (K) Green Plaza/Park
- (L) Pavilion
- (M) Dog/Animal Park
- (N) Biking Center
- (O) Kiosk
- (P) Temporary Real Estate Sales Office for New Development

**IV. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.408(e) ADDING NEW SUBSECTION (5)**

Section 14.02.408(e) is hereby amended to add new Subsection (5) to read as follows:

(5) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) Multi-family residential
- (B) Personal storage building
- (C) Auto service station with a maximum of 8 pumps
- (D) Wireless communications tower
- (E) Contractor's office – no outside storage
- (F) Contractor's temporary on-site office
- (G) Self-service storage units
- (H) Research lab – non-hazardous
- (I) Community Garden less than 1 acre
- (J) Farmer's Market less than 1 acre
- (K) Green Plaza/Park
- (L) Pavilion
- (M) Dog/Animal Park
- (N) Biking Center
- (O) Kiosk
- (P) Temporary Real Estate Sales Office for New Development

**V. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.411(e) ADDING NEW SUBSECTION (5)**

Section 14.02.411(e) is hereby amended to add new Subsection (5) to read as follows:



(5) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) Multi-family residential
- (B) Personal storage building
- (C) Auto service station with a maximum of 8 pumps
- (D) Wireless communications tower
- (E) Contractor's office – no outside storage
- (F) Contractor's temporary on-site office
- (G) Self-service storage units
- (H) Research lab – non-hazardous
- (I) Community Garden less than 1 acre
- (J) Farmer's Market less than 1 acre
- (K) Green Plaza/Park
- (L) Pavilion
- (M) Dog/Animal Park
- (N) Biking Center
- (O) Kiosk
- (P) Temporary Real Estate Sales Office for New Development

**VI. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.412(e) ADDING NEW SUBSECTION (5)**

Section 14.02.412(e) is hereby amended to add new Subsection (5) to read as follows:

(5) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) Multi-family residential
- (B) Personal storage building
- (C) Auto service station with a maximum of 8 pumps

- (D) Wireless communications tower
- (E) Contractor's office – no outside storage
- (F) Contractor's temporary on-site office
- (G) Self-service storage units
- (H) Research lab – non-hazardous
- (I) Community Garden less than 1 acre
- (J) Farmer's Market less than 1 acre
- (K) Green Plaza/Park
- (L) Pavilion
- (M) Dog/Animal Park
- (N) Biking Center
- (O) Kiosk
- (P) Temporary Real Estate Sales Office for New Development

**VII. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION 14.02.414(d)(10) ADDING NEW SUBSECTION (E)**

Section 14.02.414(d)(10) is hereby amended to add new Subsection (E) to read as follows:

(E) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor's office – no outside storage
- (G) Contractor's temporary on-site office



- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer’s Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Library
- (R) Amphitheater
- (S) Office/Warehouse
- (T) Temporary Real Estate Sales Office for New Development

**VIII. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION  
14.02.414(d)(11) ADDING NEW SUBSECTION (J)**

Section 14.02.414(d)(11) is hereby amended to add Subsection (J) to read as follows:

(J) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) A bar as defined in Section 14.02.002 of this Article
- (B) Multi-family residential
- (C) Personal storage building
- (D) Auto service station with a maximum of 8 pumps
- (E) Wireless communications tower
- (F) Contractor’s office – no outside storage
- (G) Contractor’s temporary on-site office

- (H) Self-service storage units
- (I) Research lab – non-hazardous
- (J) Community Garden less than 1 acre
- (K) Farmer’s Market less than 1 acre
- (L) Green Plaza/Park
- (M) Pavilion
- (N) Dog/Animal Park
- (O) Biking Center
- (P) Kiosk
- (Q) Church
- (R) Library
- (S) Amphitheater
- (T) Office/Warehouse
- (U) Temporary Real Estate Sales Office for New Development
- (V) All uses allowed in the A-1 Recreational classification

**IX. CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE, SECTION  
14.02.421(d)(1) ADDING NEW SUBSECTION (F)**

Section 14.02.414(d)(11) is hereby amended to add Subsection (F) to read as follows:

(F) Conditional uses. The following uses shall require approval of a conditional use permit, in accordance with Part VIII Conditional Use Permits (CUPs) of this article.

- (A) Multi-family residential
- (B) Personal storage building
- (C) Auto service station with a maximum of 8 pumps
- (D) Wireless communications tower

- (E) Contractor's office – no outside storage
- (F) Contractor's temporary on-site office
- (G) Self-service storage units
- (H) Research lab – non-hazardous
- (I) Community Garden less than 1 acre
- (I) Farmer's Market less than 1 acre
- (J) Green Plaza/Park
- (K) Pavilion
- (L) Dog/Animal Park
- (M) Biking Center
- (N) Kiosk
- (H) Library
- (I) Temporary Real Estate Sales Office for New Development

## **X. DELETING AUTO SERVICE STATIONS AS A PERMITTED USE IN THE C-2 COMMERCIAL CLASSIFICATION IN SPECIFIC ZONES**

Sec. 14.02.406(J)(1)(C) in Zones 3 and 4A, Sec. 14.02.407(D)(1)(C) in Zone 5, Sec. 14.02.408(E)1(C) in Zone 6 and Sec. 14.02.411(E)(1)(C) in Zone 9 are hereby amended to delete auto service station as a permitted use.

## **XI. SEVERABILITY**

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

## **XII. REPEALER**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

## **XIII. EFFECTIVE DATE**

This Ordinance shall be and become effective from and after its date of passage and publication as may



be required by governing law.

#### **XIV. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**ADOPTED AND APPROVED** on this 16<sup>th</sup> day of January, 2018 by a vote of the City Council of the City of Horseshoe Bay, Texas.

**CITY OF HORSESHOE BAY, TEXAS**

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**Stephen T. Jordan, Mayor**

**Attest:**

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**Kerri Craig, City Secretary**